

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

COULTER HILL,

Plaintiff,

vs.

BIG HORN COUNTY  
ELEMENTARY SCHOOL DISTRICT  
2 (ARROW CREEK ELEMENTARY  
SCHOOL DISTRICT), BIG HORN  
COUNTY HIGH SCHOOL DISTRICT  
3 (PLENTY COUPS HIGH SCHOOL  
DISTRICT), SAMPSON DECRANE,  
MARLA GOES AHEAD, FANNIE  
CLIFF, JENNIFER FLATLIP, and  
EUGENE RED STAR,

Defendants.

CV 20-42-BLG-SPW

ORDER ADOPTING  
MAGISTRATE'S FINDINGS  
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on February 16, 2021. (Doc. 14). The Magistrate recommended that Defendants' Motion to Dismiss (Doc. 9) be GRANTED in part as to Counts VI and VII, without prejudice, and DENIED in all other respects. (Doc. 14 at 31).

Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this

Court reviews the Magistrate's Findings and Recommendation for clear error.

*McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313

(9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm

conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d


422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this

Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 14) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss (Doc. 9) is GRANTED in part as to Counts VI and VII, without prejudice, and DENIED in all other respects.

DATED this 4<sup>th</sup> day of March, 2021.

  
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SUSAN P. WATTERS  
United States District Judge